

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LORI A. McCOY, as parent and natural
guardian of NATHANIEL R. McCOY, a
minor,

Plaintiffs,

v.

COLEMAN COMPANY, INC., a foreign
corporation,

Defendant.

NO. CV 06-5478 KLS

ORDER GRANTING PLAINTIFF'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT ON THE ISSUE OF
LIABILITY

This matter comes before the court on the Plaintiff's Motion for Summary Judgment on the Issue of Liability (Dkt. #19). The Court has considered and reviewed the pleadings filed in support of the motion (Dkt. #19 - 24, and 26) as well as the pleadings filed in opposition (Dkt. #25).

The Defendant did not oppose the finding of liability but rather raised issues of fact regarding the nature and extent of injuries which were proximately caused by the break in the metal shaft. The Plaintiff agrees that the "issues of the nature and extent of the plaintiff's injuries and damages, and whether they were caused by the defendant's wrongful conduct, are reserved for trial." (Dkt. #29, lines 20 - 22).

The Plaintiff's Motion for Partial Summary Judgment as to liability is hereby GRANTED.

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2 DATED this 19th day of September, 2006.
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6 Karen L. Strombom
7 United States Magistrate Judge
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